LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 10 LCR 1976.

Bangalore, dated 28th April 1976

Ordered that the Equal Remuneration Rules, 1976, published in Part II, Section 3 of the Gazette of India Extraordinary, dated 11th March 1976, be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

B. NAGESHA RAO,

Under Secretary to Government,

2 *Dept. of Law and Parly. Affairs.*

MINISTRY OF LABOUR

Notification

New Delhi, the 11th March 1976

G. S. R. 119(E)—In exercise of the powers conferred by section 13 of the Equal Remuneration Act, 1976 (25 of 1976) and in supersession of equal Remuneration Rules, 1975, the Central Government hereby makes the following rules, namely:—

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**—(1) These rules may be called the Equal Remuneration Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions**—In these rules, unless the context otherwise requires,—

(a) "Act" means the Equal Remuneration Act, 1976 (25 of 1976);

(b) "Authority" means an authority appointed by the appropriate Government under sub-section (1) of section 7;

(c) "Form" means a form appended to these rules ;

(d) "section" means a section of the Act ,

(e) "registered Trade Union" means a Trade Union registered under the Trade Union Act, 1926 (16 of 1926).

CHAPTER II

COMPLAINTS AND CLAIMS UNDER THE ACT

3. Complaints regarding contravention of the Act.— (1) Every complaint under clause (a) of sub section (1) of section 7 shall be made in triplicate, in Form 'A' to the Authority.

(2) A single complaint may be made by, or on behalf of, or in relation to a group of workers, if they are employed in the same establishment and the complaint relates to the same contravention.

(3) A complaint may be made by the worker himself or herself or by any legal practitioner, or by any official of a registered Trade Union, authorised in writing to appear and act on his or her behalf or by any Inspector appointed under section 9 or by any other person acting with the permission of the Authority.

4. Claim regarding non-payment of wages etc.— (1) Every claim under clause (b) of sub-section (1) of section 7 shall be made by petition in triplicate, in Form 'B' to the Authority.

(2) A single petition may be made by or on behalf of or in relation to, a group of workers, if they are employed in the same establishment and their claims are of the same nature.

(3) A claim may be made by the worker himself or herself or by any legal practitioner or by any official of a registered Trade Union authorised in writing to appear and act on his or her behalf or by any Inspector appointed under section 9 or by any other person acting with the permission of the Authority.

5. **Authorisation.**—The authorisation referred to in sub-rule (3) of rule 3 or sub-rule (3) of rule 4 shall be in Form "C" which shall be presented to the Authority to whom the complaint or the claim, as the case my be, is made alongwith such complaint or claim and shall form part of the record.

CHAPTER III

REGISTERS TO BE MAINTAINED

6. **Registers to be maintained by the employer**—Every employer shall mainatin a register in relation to the workers employed by him in Form 'D'.

FORM A (*To be submitted in triplicate*)

[*See* Rule (3) 1]

Complaint under clausue (a) of sub-section (1) of section 7 of the Equal Remuneration Act, 1976 (25 *of* 1976).

To

The Authority appointed under sub-section (1) of section 7.

.....(Address)

A.....Complainant(s)
Full address

Versus

B.....Opposite Party
Full address

The complainant(s) begs/beg to complaint that the opposite party has been guilty of a contravention(s) of the provisions of the Equal Remuneration Act, 1976 (25 of 1976) as shown below :—

(Here set out briefly the particulars showing the manner in which the alleged contravention(s) has/have taken place and the grounds supporting the complaint.)

The complainant(s) accordingly prays/pray that the Authority .....may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint (alongwith its annexures) as required under sub-rule (1) of rule 3 of the Equal Remuneration Rules, 1976 are submitted herewith.

The complainant(s) does/do solemnly declare that the facts stated in this complaint are true to the best of his/her/their knowledge, belief and information.

Signature(s)/thumb impression (s)
of the complainant(s)

*I have been duly authorised in writing by..... [here insert the name of the worker(s)], to appear and act on his/her/their behalf.

Signature of the legal practitioner/official of registered Trade Union dully authorised.

Station
Dated

*Strike out this portion if inapplicable.

FORM B (*To be submitted in triplicate*)
[*See* Rule 4(1)]

Claim under clause (b) of sub-section (1) of section 7 of the Equal Remuneration Act, 1976 (25 *of* 1976).

To

The Authority appointed under sub-section (1) of section 7.

.....(Address)

A.....Petitioner(s)
Full address

Versus

B.....Opposite Party
Full address

The petitioner(s) above named states/state as follows :—

(1) The petitioner(s) was/were/is/are employed from..... .....to.....as.....(category) in.....(name of the establishment) of Shri/ Messrs.....(name of the employer and address).

(2) The opposite party is the emyloyer within the meaning of clause (c) of section 2 of the Equal Remuneration Act, 1976 (25 of 1976).

(3) The petitioner(s) was/were/has/have not been paid wages at rates equal to those of workers of the opposite sex for the same work or work of a similar nature for the period from .....to.....

(4) The petitioner(s) was/were/has/have been paid wages at the rate of.....whereas workers of the opposite sex for the same work or work of a similar nature were paid/have been paid at the rate of..... ..... during the said period.

(5) The petitioner(s) estimates/estimate the value of relief sought by him/them at Rs.....[Rupees..... .....(in words).]

(6) The petitioner(s), therefore, prays/pray that the Authority may be pleased to decide the claim set out above and pass such order or orders thereon as it may deem fit and proper.

(7) The petitioner(s) begs/beg leave to amend or add to or make alterations in the petition, if and when necessary, with the permission of the Authority.

The petitioner (s) does/do solemnly declare that the facts stated in this petition are true to the best of his/her/their knowledge, belief and information.

Signature(s)/thumb impression (s)
of the Petitioner(s)

* I have been duly authorised in writing by.....[here insert the name worker(s)] to appear and act on his/her/their behalf.

Signature of the legal practitioner/official of a registered Trade Union duly authorised.

Station

Date

* Strike out this portion if inapplicable.

FORM C

(*See* rule 5)

Form of authority in favour of legal practitioner or any official of a registered Trade Union

I/we hereby authorise Shri/Shrimati/Kumari*.....
.....a legal practitioner/an official of.....
which is a registered Trade Union to appear and act on my/our behalf, under* sub-rule (3) of rule 3/sub-rule (3) of rule 4 in respect of the *complaint/claim against.....(mention name of employer) on account of .....(mention violation of the Act).

Signature(s)/thumb impression(s)
of the worker(s)*

Station

Date

Witness
(1)
(2)
(3)

I accept the authorisation

Station *Legal practitioner

Date Official of a registered Trade Union.

* Strike out whichever is inapplicable.

FORM D

(*See* rule 6)

Register to be maintained by the employer under rule 6 of the Equal Remuneration Rules, 1976

Name of the Establishment with full address.....

Total number of workers employed.....

Total number of men workers employed.....

Total number of women workers employed.....

						Components of remuneration			
Category of workers	Brief Description of work	No. of men employed	No. of women employed	Rate of remuneration paid	Basic wage or salary	Dearness allowance	House Rent allowance	Other allowances	Cash value of concessional supply of essential commodities
1	2	3	4	5	6	7	8	9	10

[No. F. P 11025/51/75-WC]

T. S. SANKARAN, Jt. Secy.

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